

ENTERED

October 19, 2016

David J. Bradley, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

JOSE LEONEL RIVERA,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

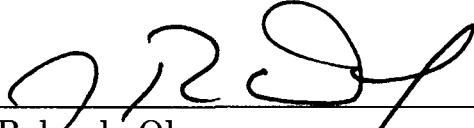
§
§
§
§
§
§
§
§

Civil Action No. 1:16-cv-128
(Criminal No. 1:14-cr-801-1)

**ORDER ADOPTING MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION**

Before the Court is the Magistrate Judge's Report and Recommendation in the above-referenced cause of action. No objections have been filed. After a de novo review of the file, the Magistrate Judge's "Report and Recommendations" (Docket No. 5) is **ADOPTED**. It is therefore **ORDERED, ADJUDGED, and DECREED** that Rivera's "Motion to Vacate, Set Aside or Correct Sentence (2255)" (Docket No. 1) is **DISMISSED** with prejudice pursuant to Rule 4(b) of the Rules Governing § 2255 Proceedings for the United States District Courts. A certificate of appealability shall not issue.

Signed on this 18th day of October, 2016



Rolando Olvera
United States District Judge